Extra No. 18

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The Gujarat Government Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. LXVII] FRIDAY, JULY 10, 2026 / ASHADHA 19, 1948

Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

PART - VI

Acts of Parliament and Ordinances promulgated by the President

LEGISLATIVE AND PARLIAMENTARY AFFAIRS DEPARTMENT

Sachivalaya, Gandhinagar, 10th July, 2026

No. RPB/Act-3/2026/E:- The Following Act of Parliament is republished for general information:-

Government of India
Ministry of Law and Justice
Legislative Department

New Delhi, the 30th March, 2026/Chitra 9, 1948 (Saka)

The following Act of Parliament received the assent of the President on the 30th March, 2026 and is hereby published for general information:-

THE TRANSGENDER PERSONS (PROTECTION OF RIGHTS) AMENDMENT ACT, 2026

(No. 3 of 2026)

[30th March, 2026]

An Act to amend the Transgender Persons (Protection of Rights) Act, 2019.

Be it enacted by Parliament in the Seventy-seventh Year of the Republic of India as follows:—

Short title and commencement.

1. (1) This Act may be called the Transgender Persons (Protection of Rights) Amendment Act, 2026.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Amendment of section 2.

40 of 2019.

2. In section 2 of the Transgender Persons (Protection of Rights) Act, 2019 (hereinafter referred to as the principal Act),—

(*i*) for clause (a), the following clause shall be substituted, namely::—

'(*a*) "appropriate Government" means—

(*i*) in relation to the Central Government or any establishment wholly or substantially financed by that Government, the Central Government;

(*ii*) in relation to a State Government or any establishment wholly or substantially financed by that Government, or any local authority within a State, the State Government;

(*iii*) in relation to a Union territory or any establishment wholly or substantially financed by the Central Government in that Union territory, the Administrator thereof appointed under article 239 of the Constitution or such authority as may be specified by the Central Government;';

(*ii*) after clause (*a*), the following clause shall be inserted, namely:—

'(*aa*) "authority" means a medical board, headed by a Chief Medical Officer or a Deputy Chief Medical Officer, as may be appointed by the Central Government, State Government or Union territory Administration;';

(*iii*) clause (*i*) shall be omitted;

(*iv*) for clause (*k*), the following clause shall be substituted, namely:—

'(*k*) "transgender person" means—

(*i*) a person having such socio-cultural identities as *kinner*, *hijra*, *aravani* and *jogta*, or eunuch, or a person with intersex variations specified below or a person who, at birth, has a congenital variation in one or more of the following sex characteristics as compared to male or female development:—

(*a*) primary sexual characteristics;

(*b*) external genitalia;

(*c*) chromosomal patterns;

(*d*) gonadal development;

(*e*) endogenous hormone production or response, or such other medical conditions; or

(*ii*) any person or child who has been, by force, allurement, inducement, deceit or undue influence, either with or without consent, compelled to assume, adopt, or outwardly present a transgender identity, by mutilation, emasculation, castration, amputation, or any surgical, chemical, or hormonal procedure or otherwise:

Provided that it shall not include, nor shall ever have been so included, persons with different sexual orientations and self-perceived sexual identities.'.

Amendment of section 4.

3. In section 4 of the principal Act, sub-section (*2*) shall be omitted.

Amendment of section 6.

4. In section 6 of the principal Act,—

(*a*) in sub-section (*1*), for the words "District Magistrate", the words "District Magistrate, after examining the recommendation of the authority and, if he considers either necessary or desirable, after taking the assistance of other medical experts" shall be substituted;

(*b*) after sub-section (*3*), the following sub-section shall be inserted, namely:—

"(*4*) The person who has been issued a certificate of identity under sub-section (*1*) and is so declared as a transgender person within the definition under this Act shall be entitled to change the first name in the birth certificate and all other official documents relating to the identity of such person.".

Amendment of section 7.

5. In section 7 of the principal Act,—

(*a*) in sub-section (*1*), for the words "such person may", the words "such person shall" shall be substituted;

(*b*) after sub-section (*1*), the following sub-section shall be inserted, namely:—

"(*1A*) The medical institution in which the person who has undergone surgery to change gender, either as male or female, shall furnish the details of such person to the concerned District Magistrate and the authority in such form and manner as may be prescribed.";

(*c*) for sub-section (*2*), the following sub-section shall be substituted, namely:—

"(*2*) A person referred to in sub-section (*1*) shall also make an application to the District Magistrate who shall, on receipt of an application along with the certificate issued by the Medical Superintendent or Chief Medical Officer, and on being satisfied with the correctness of such certificate, issue a certificate indicating change in gender in such form and manner and within such time, as may be prescribed.";

(*d*) sub-section (*3*) and the proviso shall be omitted.

Amendment of section 16.

6. In section 16 of the principal Act, in sub-section (*2*), for clause (*f*), the following clause shall be substituted, namely:—

"(*f*) representatives of the State Governments and Union territories Administration, by rotation, one each from North, South, East, West and North-East regions, not below the rank of Director in the concerned Ministry or Department, to be nominated by the Central Government, Members, *ex officio*;".

Substitution of new section for section 18.

7. For section 18 of the principal Act, the following section shall be substituted, namely:—

Offences and penalties.

"18. Whoever,—

(*a*) compels or entices a transgender person to indulge in the act of forced or bonded labour other than any compulsory service for public purposes imposed by Government, shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to two years and with fine;

(*b*) denies a transgender person the right of passage to a public place or obstructs such person from using or having access to a public place to which other members have access to or a right to use, shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to two years and with fine;

(*c*) forces or causes a transgender person to leave household, village or other place of residence, shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to two years and with fine;

(*d*) harms or injures or endangers the life, safety, health or well-being, whether mental or physical, of a transgender person or tends to do acts including causing physical abuse, sexual abuse, verbal and emotional abuse and economic abuse, shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to two years and with fine;

(*e*) kidnaps or abducts any adult person and causes—

(*i*) grievous hurt to such person, whether by mutilation, emasculation, castration, amputation, or any surgical, chemical, or hormonal procedure; or

(*ii*) permanent or severe injury to the body or bodily functions of such person,

with the intent of, or in the course of, compelling such person to assume, adopt, or outwardly present a transgender identity against the will or consent of such person, whether by force, allurement, deceit, undue influence or otherwise, shall be punishable with rigorous imprisonment for a term which shall not be less than ten years but which may extend to imprisonment for life, and shall also be liable to fine which shall not be less than two lakh rupees;

(*f*) kidnaps or abducts any child and causes—

(*i*) grievous hurt to such child, whether by mutilation, emasculation, castration, amputation, or any surgical, chemical, or hormonal procedure; or

(*ii*) permanent or severe injury to the body or bodily functions of such child,

with the intent of, or in the course of, compelling such child to assume, adopt, or outwardly present a transgender identity, whether by force, allurement, deceit, undue influence or otherwise, shall be punishable with rigorous imprisonment for life, and shall also be liable to fine which shall not be less than five lakh rupees;

(*g*) by force, threat, coercion, allurement, deception, inducement, or undue influence—

(*i*) compels any person, whether or not such person is a transgender person, to dress, present, or conduct themselves outwardly as a transgender person against the will of such person; and

(*ii*) employs, uses, or causes such person to engage in begging, solicitation, servitude, or any other form of forced or bonded labour while so presenting,

shall be punishable with rigorous imprisonment for a term which shall not be less than five years but which may extend to ten years, and shall also be liable to fine which shall not be less than one lakh rupees; and

(*h*) by force, threat, coercion, allurement, deception, inducement, undue influence or otherwise—

(*i*) compels any child, whether or not such child is a transgender person, to dress, present, or conduct themselves outwardly as a transgender person; and

(*ii*) employs, uses, or causes such child to engage in begging, solicitation, servitude, or any other form of forced or bonded labour while so presenting,

shall be punishable with rigorous imprisonment for a term which shall not be less than ten years but which may extend to fourteen years, and shall also be liable to fine which shall not be less than three lakh rupees.".

Amendment of section 22.

8. In section 22 of the principal Act, in sub-section (*2*),—

(*a*) in clause (*c*), after the word, brackets and figure "sub-section (*1*)", the words, brackets, figure and letter "and the form and manner of details to be furnished by the medical institution under sub-section (*1A*)," shall be inserted;

(*b*) in clause (*d*), the word "revised" shall be omitted.

Sd/-

DR. RAJIV MANI,

Secretary to the Government of India.

By order and in the name of the Governor of Gujarat,

Sd/-

K. M. LALA,

Secretary to Government.

Government Central Press, Gandhinagar.

Signature Not Verified
Signed by : BHOLUSINGH G THAKUR
Senior Manager
Government Central Press, Gandhinagar
Date : 2026.07.20 21:33:35 IST